



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/069,263
Applicant : Patrick Johannes Blom et al.
Filed : June 19, 2002
Title : TRANSFER LABEL

TC/A.U. : 1774
Examiner : Tamra L. Dicus
Docket No. : 34434
Customer No. : 00116

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE AND INTERVIEW
SUMMARY

Sir:

Applicant herewith provides the substance of a telephonic interview conducted between applicant's counsel John P. Murtaugh and Examiner Tamra L. Dicus on February 18, 2005. During the interview the substance of the Blom Declaration filed on February 11, 2005 was discussed. Applicant's counsel explained that an experiment was conducted in which, in Example 1, 2 g/m² of the best conventional opacifying agent TiO₂ was used; but this did not provide sufficient opacity and the underlying image could be visually noticed through the opacifying layers. The experiment was repeated in Example 2 in the same manner with only one change, that being that in the second white pigmented layer 0.03 g/m² of TiO₂ was removed and was replaced with 0.03 g/m² of aluminum powder. Despite this small substitution, surprisingly

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

John P. Murtaugh
Name of Attorney for Applicant(s)

May 25, 2005
Date

John P. Murtaugh
Signature of Attorney

and unexpectedly the label was completely opaque and the existing printing could not be visually noticed through the opacifying layers. The Examiner indicated she would give the Declaration due consideration.

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Contrary to what the Examiner states, the article "Pigments" shows that the refractive index of TiO_2 is much greater than 1.5 and lists TiO_2 as a hiding pigment and lists CaCO_3 as an extender pigment having a refractive index value close to 1.5.

If there are any fees resulting from this communication, please charge the said fees to our Deposit Account No. 16-0820, Order No. 34434.

Respectfully Submitted,

PEARNE & GORDON LLP

By: John P. Murtaugh
John P. Murtaugh, Reg. No. 34226

1801 East 9th Street, Suite 1200
Cleveland, Ohio 44114-3108
216-579-1700

Date: May 25, 2005